

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

EARL DICKERSON

CRIMINAL NO. 04-10202-RWZ

**JOINT MOTION TO CONTINUE TRIAL AND TO EXCLUDE PERIOD OF
CONTINUANCE UNDER SPEEDY TRIAL ACT**

The United States and the defendant, Earl Dickerson, hereby move the Court to continue trial of this action, currently scheduled to commence on September 12, 2005 for approximately 60 days and to exclude the period of the continuance from the period within which trial must commence under the Speedy Trial Act, 18 U.S.C. §§ 3161, et seq. As grounds, the parties state that counsel for the defendant will be unavailable in September due to personal reasons. Because the delay resulting from the requested extension of time will – by permitting the defendant to proceed to trial when counsel is available – serve the ends of justice and outweigh the best interest of the public and defendant in a speedy trial, the period of the delay is excludable pursuant to 18 U.S.C. § 3161(h)(8)(A).

Wherefore, the parties request that the Court continue the trial for approximately 60 days and exclude the period of the continuance from the period within which trial must commence

Respectfully submitted,

EARL DICKERSON
By His Attorney

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United States Attorney

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By: /s/ John A. Capin

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